

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CLINTON WORKS,

Plaintiff,

vs.

CAROLYN W. COLVIN,
ACTING COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

Case No. 13-CV-12570
HON. GEORGE CARAM STEEH
MAG. JUDGE DAVID R. GRAND

ORDER ACCEPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION (DOC. #12)

This matter is before the court on plaintiff Clinton Works' challenge of a final decision of defendant Commissioner denying his application for Supplemental Security Income under the Social Security Act ("Act"). Both parties filed summary judgment motions which were referred to the magistrate judge for report and recommendation.

On June 18, 2014, the magistrate judge issued a report and recommendation recommending that plaintiff's motion be granted in part and denied in part, and defendant's motion for summary judgment be denied. The report concludes that plaintiff has offered new and material evidence, and has shown good cause why that evidence was not presented in the prior proceeding. The report therefore recommends a remand under sentence six of 42 U.S.C. § 405(g) for further consideration consistent with the report and recommendation.

Objections to the report have not been filed by either party within the established time period. The court has reviewed the file, record, and magistrate judge's report and recommendation and accepts the magistrate judge's recommendation. Accordingly,

IT IS ORDERED that the magistrate's report and recommendation is accepted as the findings and conclusions of this court.

IT IS FURTHER ORDERED that plaintiff's motion for summary judgment is GRANTED IN PART to the extent it seeks remand and DENIED IN PART to the extent it seeks outright reversal and an award of benefits, and the Commissioner's motion for summary judgment is DENIED, for the reasons well-developed in the magistrate judge's report and recommendation.

IT IS FURTHER ORDERED that pursuant to sentence six of 42 U.S.C. § 405(g), the Commissioner's decision is REMANDED to the ALJ for further proceedings consistent with the report and recommendation.

SO ORDERED.

Dated: August 1, 2014

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 1, 2014, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk